



Home Office

Country Policy and Information Note

Sri Lanka: Journalists, media professionals and human rights activists

Version 2.0

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Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

Contents

Policy guidance	4
1. Introduction	4
1.1 Basis of claim	4
2. Consideration of issues	4
2.1 Credibility.....	4
2.2 Assessment of risk	4
2.3 Protection	6
2.4 Internal relocation.....	6
2.5 Certification	6
3. Policy summary	6
Country information	7
4. Media and internet access	7
4.1 Outlets	7
4.2 Professional associations.....	8
5. Legal rights	8
5.1 Constitutional provisions.....	8
5.2 Legislation affecting freedom of the press and broadcasting media.....	8
5.3 Right to Information Act.....	9
6. Treatment by the authorities	10
6.1 Freedom of expression and the media	10
6.2 Censorship	12
6.3 Civil society/human rights activists	13
6.4 Internet access, content and blocking	15
6.5 Journalists	16
Version control and contacts	22

Policy guidance

Updated: 11 July 2017

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm at the hands of the Sri Lankan authorities because of the person's actual or perceived political opinion as a result of their activities as a journalist (including internet-based media), media professional or human rights activist. This includes persons/activists who use internet-based media, including blogging or social media platforms, to criticise the government.

[Back to Contents](#)

2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

2.2 Assessment of risk

- 2.2.1 In the country guidance case of [GJ & Others \(post –civil war: returnees Sri Lanka CG \[2013\] UKUT 00319 \(IAC\) \(5 July 2013\)](#) (heard on 5-8 and 11-12 February, 15 March and 19 April 2013), the Upper Tribunal found that under the previous Sri Lankan government journalists, media professionals and human rights activists who have, or are perceived to have, criticised the Sri Lankan government, in particular its human rights record, or who were associated with publications critical of the Sri Lankan government, would be at real risk of persecution or harm on return to Sri Lanka (para 356 (3)).
- 2.2.2 Since the country guidance case of [GJ & Others](#) was handed down in 2013, a new government, led by President Sirisena, came to office in January 2015. Since then there have been significant improvements to press freedom, to the extent that journalists are able to express themselves without the fear of reprisals (see [Freedom of expression and the media](#)).
- 2.2.3 In view of the evidence which shows improvements to press freedom, the Home Office view is that decision makers can, in an appropriate case, depart from the guidance in [GJ & Others](#) which found that Journalists (whether in print or other media) and human rights activists are at risk.

- 2.2.4 The law allows for freedom of speech, expression, association and peaceful assembly and these are generally respected under the current government. However, these legal rights are in some respects limited by other laws and regulations in place, such as the 1979 Prevention of Terrorism Act, which contains broad restrictions, such as a prohibition on bringing the government into contempt (see [Legal rights](#)).
- 2.2.5 The level of censorship has relaxed since the end of the conflict in 2009. Journalists are free to criticise the government, although some believe they continue to be monitored by the authorities and/or practice self-censorship. The number of verbal and physical attacks on journalists is reported to have significantly reduced although a few isolated incidents continue to be reported. The current government has pledged to investigate journalists killed or disappeared during the conflict (see [Censorship](#) and [Journalists](#)).
- 2.2.6 Furthermore, under the Sirisena government, internet freedom has significantly improved and there are no reports of the authorities monitoring online activity (see [Internet access, content and blocking](#)). Therefore a person is unlikely to be at risk from speaking freely online.
- 2.2.7 Members of the media, human rights activists and civil society are able to operate freely but there have been some reports of harassment and monitoring by security forces against those participating in protests or demonstrations, particularly student or civil society activists (see [Civil society/human rights activists](#)).
- 2.2.8 In general journalists and human rights activists are not subject to treatment which would be persecutory or cause serious harm. Although there have been a few isolated incidents of verbal and physical attacks on journalists – and harassment of some human rights activists who participate in protests – these are not sufficiently serious by their nature and repetition as to amount to a real risk of persecution or serious harm.
- 2.2.9 However decision makers must consider whether there are particular factors relevant to the specific person which may mean they are at real risk of persecution or serious harm. Factors to be taken into account include:
- the subject matter of the published or material posted online in question
 - whether the published or material posted online is directly in contravention of the country's laws, particularly laws relating to sedition or criminal defamation (see [Legal rights](#))
 - whether the material refers specifically to a high-level government official or political leader
 - the language and tone used
 - the reach (circulation) and influence of the publication or other medium
 - the publicity attracted in other media or on the internet
 - the frequency of such articles or posts
 - any past adverse interest in the person by the authorities
 - any previous physical attacks which are reasonably likely to continue.

- 2.2.10 The onus is on the person to demonstrate a real risk on return.
- 2.2.11 For further guidance on assessing risk generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.3 Protection

- 2.3.1 As the person's fear is of persecution or serious harm at the hands of the state, they cannot avail themselves of the protection of the authorities.
- 2.3.2 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.4 Internal relocation

- 2.4.1 As the person's fear is of persecution or serious harm at the hands of the state, they will not be able to relocate to escape that risk.
- 2.4.2 For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.5 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.1 For further guidance on certification see Appeals Instruction, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

[Back to Contents](#)

3. Policy summary

- 3.1.1 The government, led by President Sirisena, has lifted restrictions imposed by the previous government on media reporting and relaxed internet censorship. Journalists, media professionals and human rights activists are able to express themselves more freely and communicate publicly.
- 3.1.2 There continue to be a few isolated incidents of verbal and physical attacks on journalists – and harassment of some human rights activists who participate in protests – but in general journalists and human rights activists are not at real risk of persecution or serious harm. There may however be particular factors relevant to the specific person which might put the person at real risk. Each case needs to be considered on its facts.
- 3.1.3 A person fearing persecution or serious harm by the state will not be able to seek effective state protection or relocate elsewhere within Sri Lanka.
- 3.1.4 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded'.

[Back to Contents](#)

Country information

Updated 11 July 2017

4. Media and internet access

4.1 Outlets

4.1.1 The BBC Sri Lanka Profile noted: 'Many of the main [media] outlets are state-owned, including two major TV stations, radio networks operated by the Sri Lanka Broadcasting Corporation (SLBC), and newspapers in Sinhala, Tamil and English.'¹

4.1.2 The main press outlets include:

- 'Daily News - state-owned, English-language daily
- 'The Island - private, English-language daily
- 'Daily Mirror - private, English-language daily
- 'Dinamina - state-owned, Sinhala daily
- 'Lankadeepa - private, Sinhala daily
- 'Lakbima - private, Sinhala daily
- 'Uthayan - private, Jaffna-based Tamil daily
- 'Virakesari - private, Tamil daily.'²

4.1.3 The main news agencies/internet and internet providers include:

- 'Lankapuvath - state-owned
- 'TamilNet - US-based Tamil news site, widely described as pro-Tamil Tiger.'³

4.1.4 The UK Home Office undertook a [Fact Finding Mission to Sri Lanka from 11 – 23 July 2016](#) and met with members of the Jaffna Press Club and were informed that: 'In addition to writing for various newspapers and producing radio articles, the Press Club members also have Blogs, Twitter and Facebook accounts. Their accounts of human rights abuses are anonymous.'⁴

[Back to Contents](#)

¹ BBC, Sri Lanka Profile: Media, (Media), 17 August 2017, <http://www.bbc.co.uk/news/world-south-asia-12000330>. Accessed: 20 April 2017

² BBC, Sri Lanka Profile: Media, (Press), 17 August 2017, <http://www.bbc.co.uk/news/world-south-asia-12000330>. Accessed: 20 April 2017

³ BBC, Sri Lanka Profile: Media, (News agencies/internet), 17 August 2017, <http://www.bbc.co.uk/news/world-south-asia-12000330>. Accessed: 20 April 2017

⁴ UK Home Office's Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 6: Meeting with the Jaffna Press Club, 14 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

4.2 Professional associations

- 4.2.1 The Sri Lanka Press Council Act was created in 1973 to ‘regulate and to tender advice on matters relating to the press in Sri Lanka.’⁵ DFAT report, dated 24 January 2017, noted: ‘The Sri Lanka Press Council, a media regulatory body with members appointed by the President, was re-established in 2015.’⁶

[Back to Contents](#)

5. Legal rights

5.1 Constitutional provisions

- 5.1.1 Article 14 (1a) of the [Constitution](#), (Revised Edition – 2015) allows for ‘the freedom of speech and expression including publication’.⁷
- 5.1.2 Article 14 of the [Constitution](#) is subject to restrictions, as set out in Article 15.⁸
- 5.1.3 The US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), published on 3 March 2017, observed that: ‘The constitution provides for freedom of speech and press and the government generally respected these rights, although there were reports government officials arrested, assaulted, and harassed journalists based on their reporting.’⁹

(See [Treatment by the authorities](#))

[Back to Contents](#)

5.2 Legislation affecting freedom of the press and broadcasting media

- 5.2.1 The Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, stated:
- ‘Several laws with overly broad scope lack detailed definitions and can be abused to prosecute or restrict legitimate forms of online expression. Computer crimes [Implemented in 2007] and intellectual property rights laws allow information contained within computers to be admissible in civil and criminal proceedings. Publishing official secrets, information about

⁵ Sri Lanka Press Council, Law, No.5 of 1973 of The National State Assembly - 27th February, 1973 <http://slpc.lk/act-regulations/act.html>. Accessed: 24 March 2017

⁶ Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Media, para 3.66), 24 January 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July 2017

⁷ The Constitution of the Democratic Socialist Republic of Sri Lanka (As amended up to 15th May 2015), Revised Edition – 2015, (Article 14), <https://www.parliament.lk/files/pdf/constitution.pdf>. Accessed: 23 March 2017

⁸ The Constitution of the Democratic Socialist Republic of Sri Lanka (As amended up to 15th May 2015), Revised Edition – 2015, (Article 14), <https://www.parliament.lk/files/pdf/constitution.pdf>. Accessed: 23 March 2017

⁹ US State Department, ‘Country Report on Human Rights Practices for 2016’ (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Introduction), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

parliament that may undermine its work, or “malicious” content that incites violence or disharmony could result in criminal charges.’¹⁰

5.2.2 Article 14(2) of the Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979, Certified on 20 July 1979, states:

‘(a) No person shall, without the approval in writing of a competent authority, print or publish in any newspaper any matter relating to -

‘(i) the commission of any act which constitute an offence under this Act or the investigation of any such offence; or

‘(ii) incitement to violence, or which is likely to cause religious, racial or communal disharmony or feeling of ill-will or hostility between different communities or racial or religious groups.

‘(b) No person shall, without the approval in writing of a competent authority, distribute or be concerned in the distribution of any newspaper printed or published in Sri Lanka or outside Sri Lanka in respect of any matter the printing and publication of which is prohibited under paragraph (a).’¹¹

[Back to Contents](#)

5.3 Right to Information Act

5.3.1 The [Right to Information Act](#) was certified on 4 February 2017. The Act ‘permits access to government information; except in 21 instances; with the intention of promoting equitable governance and upholding the tenants of democracy’.¹² Part I (Application of the Provisions of the Act), section 3 (1) of the Act states: ‘Subject to the provisions of section 5 of this Act, every citizen shall have a right of access to information which is in the possession, custody or control of a public authority. Parliament of the Democratic Socialist Republic of Sri Lanka, Right To Information ACT, No. 12 of 2016, Certified on 04th August, 2016’.¹³

(See [Civil society/human rights activists](#))

[Back to Contents](#)

¹⁰ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Violations of User Rights: Violations Legal Environment), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

¹¹ Parliament of the Democratic Socialist Republic of Sri Lanka, Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979, Certified on 20 July 1979, Part V – Prohibition of Publications, http://www.satp.org/satporgtp/countries/shrilanka/document/actsandordinance/prevention_of_terrorism.htm. Accessed: 24 March 2017

¹² Daily news, Ranjan Ramanayake uses RTI on Divulapitiya Divisional Secretariat, 4 February 2017, <http://dailynews.lk/2017/02/04/local/106722/ranjan-ramanayake-uses-rti-divulapitiya-divisional-secretariat>. Accessed: 18 April 2017

¹³ Parliament of the Democratic Socialist Republic of Sri Lanka, Right to Information Act, No. 12 of 2016, certified 4 August 2016, <http://www.slpi.lk/wp-content/uploads/2016/08/Final-RTI-bill-certified-on-4th-August-2016-English.pdf>. Accessed: 18 April 2017

6. Treatment by the authorities

6.1 Freedom of expression and the media

- 6.1.1 The Constitution, (As amended up to 15th May 2015) Revised Edition – 2015, states that every citizen is entitled to the freedom of speech and expression including publication; the freedom of peaceful assembly and the freedom of association.¹⁴ The government generally respected these rights, although there were reports that ‘government officials arrested, assaulted, and harassed journalists based on their reporting.’¹⁵
- 6.1.2 A Written statement to UN Human Rights Council: Freedom of Expression in Sri Lanka (January 2015-Present), dated 19 February 2016, stated:
‘During the conflict in Sri Lanka human rights defenders’ freedom of expression was subject to systematic interferences by the Government, resulting in widespread violations, including numerous enforced disappearances. The new Government, which came into power in January 2015, has pledged to address these issues. To date, certain progress has been made. A number of exiled journalists have been invited to return (however one was then arrested on return), banned websites have been unblocked and travel bans have been lifted. However, previous violations have not been addressed. Sri Lanka retains an embedded culture of impunity, the effects of which are particularly prominent in the Tamil-majority north and east of the country.’¹⁶
- 6.1.3 The Sri Lankan Ministry of Parliamentary Reforms and Mass Media, reported in March 2016, that a ‘[s]urvey conducted reveals significant improvement in press freedom in Sri Lanka last year as the journalists no longer fear reprisals for expressing their political views.’¹⁷
- 6.1.4 Freedom House, Freedom in the World 2016 - Sri Lanka, 20 June 2016 observed that: ‘Freedom of expression is guaranteed in the constitution, and respect for this right dramatically improved in 2015 under the new administration. A number of laws and regulations that can restrict this right – including the Official Secrets Act, antiterrorism regulations, and laws on

¹⁴ The Parliament of Sri Lanka, The Constitution of the Democratic Socialist Republic of Sri Lanka, (As amended up to 15th May 2015) Revised Edition – 2015, (Article 14 Freedom of speech, assembly, association, occupation, movement...), <https://www.parliament.lk/files/pdf/constitution.pdf>. Accessed: 13 March 2017

¹⁵ US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press, b. Freedom of Peaceful Assembly and Association), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 6 March 2017

¹⁶ Written statement submitted by the International Movement Against All Forms of Discrimination and Racism (IMADR), non-governmental organization in special consultative status - Freedom of Expression in Sri Lanka (January 2015-Present) 19 February 2016, (p2), http://ap.ohchr.org/documents/alldocs.aspx?doc_id=26140. Accessed: 21 April 2017

¹⁷ Ministry of Parliamentary Reforms and Mass Media, Sri Lanka improves significantly in press freedom, 22 April 2016, <https://www.media.gov.lk/news-archives/514-sri-lanka-improves-significantly-in-press-freedom>. Accessed: 13 April 2017

defamation and contempt of court – were used less frequently to punish critical journalists.’¹⁸

(See [Legal rights](#))

- 6.1.5 Representatives from two international media organisations informed delegates of a UK [Fact Finding Mission to Sri Lanka from 11– 23 July 2016](#) at a meeting in Colombo, that under the Sirisena government there is freedom of speech. And said that: ‘There are no restrictions [on reporting], but there is an unofficial request from the authorities not to publish, or to make particular Tamil/Sinhala incidents into major stories.’¹⁹
- 6.1.6 The Jaffna Press Club, who also met with the UK FFM delegates said that although they accepted there had no longer been any killings or abductions of journalists in the north and east of the country, they had ‘not seen very good improvements in media freedom since the change of government’.²⁰
- 6.1.7 The Freedom House report, Freedom of the Press 2016, 28 September 2016, noted however, that, ‘Media freedom in Sri Lanka, though still limited, improved sharply after the January 2015 election of President Maithripala Sirisena, whose policies toward the press were markedly less restrictive than those of his predecessor, Mahinda Rajapaksa.’²¹
- 6.1.8 The Human Rights Watch (HRW), annual report 2017, reported that: ‘... media and civil society groups in the country largely enjoyed continued freedom from surveillance, harassment, and attacks.’²²
- 6.1.9 The DFAT report, dated 24 January 2017, noted: ‘The Sirisena Government has publicly committed to allowing freedom of speech and ending the surveillance of NGO [Non-Governmental Organisation] workers and journalists, a practice which was widespread during the previous Rajapaksa government.’²³
- 6.1.10 The 2016 Country USSD report observed that: ‘Independent media were active and expressed a wide variety of views without restriction.’ However, ‘Journalists reporting on sensitive topics were sometimes subject to arrest,

¹⁸ Freedom House, Freedom in the World 2016 - Sri Lanka, 20 June 2016, (Civil liberties: D. Freedom of Expression and Belief), <https://freedomhouse.org/report/freedom-world/2016/sri-lanka>. Accessed: 18 April 2017

¹⁹ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 12. Meeting with two representatives (‘A’ & ‘B’) from two international media organisations, 19 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

²⁰ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 6: Meeting with the Jaffna Press Club, 14 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

²¹ Freedom House, Freedom of the Press 2016 - Sri Lanka, 28 September 2016, (Overview), <https://freedomhouse.org/report/freedom-press/2016/sri-lanka>. Accessed: 18 April 2017

²² The Human Rights Watch (HRW), ‘Annual report 2017’, 12 January 2017, <https://www.hrw.org/world-report/2017/country-chapters/sri-lanka>. Accessed: 13 January 2017

²³ Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Civil society organisations and Government critics, para 3.64), 24 January 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July 2017

physical violence, harassment, and intimidation, particularly by local police authorities.’²⁴

- 6.1.11 The 2016 Country USSD report further noted: ‘The government did not directly censor the media. Journalists subject to police violence or harassment report they self-censored to avoid further harassment.’²⁵ (See [Censorship](#))
- 6.1.12 Sri Lanka ranked 141 out of the 180 countries included in the Reporters Without Borders Press Freedom Index 2016, (one being the most free and 179 being the least free).²⁶

[Back to Contents](#)

6.2 Censorship

- 6.2.1 The Jaffna Press Club informed delegates from the [Fact Finding mission to Sri Lanka in July 2016](#), that: ‘The journalists practice self-censorship and although they can criticise the government, they fear the military are watching and taking note of what is being said. During the war, it was not possible to say things, the difference now is that you won’t be killed immediately – you will just be followed.’²⁷
- 6.2.2 The same source added that the Security Forces Commander had told the Press Club that, ‘military intelligence were following them, and had been doing so for the last 20 years.’²⁸
- 6.2.3 The Freedom House report, Freedom on the Net 2016, 14 November 2016, stated:
- ‘President Sirisena moved quickly to dismantle the censorship regime imposed up until 2015 by his predecessor. Prime Minister Ranil Wickremesinghe assured journalists that they would be free to report without fear of harassment and that authoritarian practices like internet censorship would not occur under the new government. Previously inaccessible content became accessible across ISPs [Internet Service Providers], including the exile-run news website TamilNet, censored since 2007 for its support of the

²⁴ US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

²⁵ US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

²⁶ Reporters Without Borders, World Press Freedom Index 2016, (Sri Lanka), <https://rsf.org/en/ranking>. Accessed: 18 April 2017

²⁷ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 6: Meeting with the Jaffna Press Club, 14 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

²⁸ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 6: Meeting with the Jaffna Press Club, 14 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

Tamil rebels. As with the previous government, the current government continues to restrict access to many pornography websites.’²⁹

6.2.4 The Freedom House report added:

‘Between 2007 [sic] and 2015, dozens of websites were blocked at different times, censorship which lacked a legal framework or judicial oversight. Blocks were not properly coordinated or comprehensive, with some targeted websites available at times on one or more ISPs and at other times completely inaccessible... There is no independent body in Sri Lanka that content providers can turn to if they are censored. Instead, they must file a fundamental rights application with the Supreme Court to challenge blocking or other restrictions.’³⁰

6.2.5 The DFAT report, dated 24 January 2017, noted: ‘The level of formal censorship of national security and defence issues has been relaxed since the end of the conflict and appears to have further improved since the change of government in 2015. Despite this, DFAT assesses that some Sri Lankan journalists and editors, particularly in the north, continue to practice some form of self-censorship.’³¹ (See [Journalists](#))

[Back to Contents](#)

6.3 Civil society/human rights activists

6.3.1 Freedom House, Freedom in the World 2016, 20 June 2016 observed that: ‘Harassment of student leaders and activists continues to be a concern.’ Adding: ‘Human rights and peace-seeking groups were able to operate much more freely, as state-sponsored surveillance, smear campaigns, death threats, disruption of activities, and criminal investigations into their funding and activities mostly ended and such groups were regularly consulted on policy formulation and able to speak freely at international fora.’³²

6.3.2 The movements and communications of individuals known to be critical of the government were monitored by the Sri Lankan authorities. A report published in August 2016 by INFORM on the human rights situation in Sri Lanka, stated: ‘Complaints of surveillance by state intelligence officers on human rights activists and activism in the North and East are continuing, although with less intensity.’³³

²⁹ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Limits on Content: Blocking and Filtering), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

³⁰ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Limits on Content: Blocking and Filtering), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

³¹ Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Media, para 3.66), 24 January 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July 2017

³² Freedom House, Freedom in the World 2016 - Sri Lanka, 20 June 2016, (Civil liberties: D. Freedom of Expression and Belief), <https://freedomhouse.org/report/freedom-world/2016/sri-lanka>. Accessed: 18 April 2017

³³ INFORM, Human Rights Situation in Sri Lanka: August 17, 2015 – August 17, 2016, 26 August 2016, (3. Freedom of Expression, Association and, Assembly), <https://ihrcdc.files.wordpress.com/2016/12/human-rights-in-sl-one-year-after-parliamentary-elections->

- 6.3.3 Amnesty International: Amnesty International Report 2016/17 also observed that in the north and east of the country, people who engaged in activism 'continued to report harassment and surveillance by security forces.'³⁴
- 6.3.4 Citing the following incidents against activists, Amnesty reported:
'In August [2016], Balendran Jeyakumari, an activist against enforced disappearances, who had previously been detained without charge for a year under the PTA, was once again summoned for questioning. Human rights defender Ruki Fernando remained barred by court order from speaking about an ongoing police investigation into his advocacy on her case; his confiscated electronic equipment was not returned.
'Sandhya Eknaligoda, the wife of disappeared dissident cartoonist Prageeth Eknaligoda, faced repeated threats and acts of intimidation. These included protests outside the court where her husband's habeas corpus case was being heard, and a poster campaign that accused her of supporting the LTTE after the police identified seven army intelligence officers suspected of involvement in his disappearance.'³⁵
- 6.3.5 Reporting on a protest in Hambantota, a town in Hambantota District, Southern Province, Sri Lanka, in January 2017, the Strait Times recorded:
'Sri Lankan police used tear gas and water cannon to disperse hundreds of stone-throwing demonstrators protesting against a planned investment zone supported by China. Hospital officials said at least 21 people were injured in Saturday's protests. According to police, 52 demonstrators were arrested. Protesters say that the government of President Maithripala Sirisena is trying to evict thousands of families to provide 6,070ha of land in the projected industrial zone for Chinese investors.'³⁶
- 6.3.6 In February 2017, representatives of 49 displaced families took turns in protesting outside the government's administrative building in the village of Puthukkudiyiruppu, Batticaloa District of Sri Lanka demanding access to their homes occupied by the military since 2009. The Hindu news reporting on the protest, noted:
'While the government has so far released about 9,020 acres that was under military occupation, war-affected people in different parts of the north and east have been protesting incessantly to reclaim the remaining civilian land that is occupied by the military... Following a recent meeting with President Maithripala Sirisena on the issue, Leader of Opposition and TNA [Tamil

[inform-18aug20161.pdf](#). Accessed: 13 March 2017

³⁴ Amnesty International: Amnesty International Report 2016/17 - The State of the World's Human Rights - Sri Lanka, 22 February 2017, (p341), <https://www.amnesty.org.uk/files/2017-02/POL1048002017ENGLISH.PDF?xMHdSpNaJBUNbiuvtMCJvJrnGuLiZnFU>. Accessed: 18 April 2017

³⁵ Amnesty International: Amnesty International Report 2016/17 - The State of the World's Human Rights, 22 February 2017, (p341), <https://www.amnesty.org.uk/files/2017-02/POL1048002017ENGLISH.PDF?xMHdSpNaJBUNbiuvtMCJvJrnGuLiZnFU>. Accessed: 18 April 2017

³⁶ The Straits Times, Protests in Sri Lanka against China investment, 9 January 2017, <http://www.straitstimes.com/asia/south-asia/protests-in-sri-lanka-against-china-investment>. Accessed: 27 April 2017

National Alliance] veteran R. Sampanthan told reporters that the President had agreed to release the land belonging to the people of Mullaitivu by March 4 [2017]... The government has denied the protesters' claims and says opposition is driven by former president Mahinda Rajapaksa's political ambitions. Mr Rajapaksa, who is trying to make a political comeback, has publicly criticised the plan, saying it will deprive people of agricultural land.' ³⁷

(Further information on land repatriation can be found in the [Country policy and information note: Tamil separatism, Sri Lanka](#))

6.3.7 The 2016 Country USSD report observed that: 'The most significant human rights problems were incidents of arbitrary arrest, lengthy detention, surveillance, and harassment of civil society activists, journalists, members of religious minorities, and persons viewed as sympathizers of the Liberation Tigers of Tamil Eelam (LTTE).' ³⁸

6.3.8 The Human Rights Watch (HRW), annual report 2017, recorded that: 'Although the government, elected in January 2015, did not deliver all reformist promises made during the election campaign, media and civil society groups in the country largely enjoyed continued freedom from surveillance, harassment, and attacks. A long-promised Right to Information bill was enacted in June 2016 [See [Right to Information Act](#)]. There was some progress on emblematic cases linked to the civil war, such as the murder of a prominent newspaper editor, the enforced disappearance of a political cartoonist, and the killing of five youths by state security forces in the eastern district of Trincomalee.' ³⁹

[Back to Contents](#)

6.4 Internet access, content and blocking

6.4.1 The Freedom House report, Freedom on the Net 2016, stated: 'Following the defeat of Mahinda Rajapaksa in the January 2015 presidential election, internet freedom has improved considerably in Sri Lanka. During the coverage period of this report, there were no reports of attacks, arrests or intimidation for online activities, in contrast to previous years.' ⁴⁰

6.4.2 The same Freedom House report added:

'Free access to the internet was a key campaign promise of President Sirisena and it was featured in his manifesto for the presidential election. A few months after his election victory, the interim government announced the availability of free Wi-Fi at 26 public locations around the country. The Information Communications and Technology Agency (ICTA), a state agency

³⁷ The Hindu, Tamil protests to reclaim land persist in Sri Lanka, 2 March 2017, <http://www.thehindu.com/news/international/tamil-protests-to-reclaim-land-persist-in-sri-lanka/article17390840.ece>. Accessed: 27 April 2017

³⁸ US State Department's 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Executive Summary), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

³⁹ The Human Rights Watch (HRW), annual report 2017, 12 January 2017, <https://www.hrw.org/world-report/2017/country-chapters/sri-lanka>. Accessed: 13 January 2017

⁴⁰ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Introduction), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

responsible for implementing the plan, announced that free Wi-Fi would be available at over 2000 public locations by the end of 2016. The government's 2016 Budget proposals included a plan to provide free internet to state universities.' ⁴¹

6.4.3 Freedom House further observed: 'In May 2014, former President Rajapaksa reaffirmed his intent to regulate social media and stated that the government would take the necessary steps to prevent the internet from being used to cause "social and political unrest." Under President Sirisena and the new interim government, no attempts have been made to regulate social media as of May 2016.' ⁴²

6.4.4 The 2016 Country USSD report stated:

'The government generally did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. The government placed limited restrictions on websites it deemed pornographic. Approximately 22 percent of individuals in the country use the internet, and 20 percent have access to the internet at home.' ⁴³

6.4.5 In October 2016 it was reported that Sri Lankan regulators, under orders from the Ministry of Parliamentary Reforms and Mass Media, blocked access to a Tamil-language news website which allegedly 'carried false information and incited ethnic hatred', according to the website's editor. ⁴⁴

[Back to Contents](#)

6.5 Journalists

6.5.1 The 2016 Country USSD report observed that: 'Journalists reporting on sensitive topics were sometimes subject to arrest, physical violence, harassment, and intimidation, particularly by local police authorities.' ⁴⁵

6.5.2 An article by Tamil Net, dated 7 May 2016, reported:

'[T]he SL President Maithiripala Sirisena, Prime Minister Ranil Wickramasighe and the Foreign Minister Mangala Samaraweera have been going around and inviting exiled journalists, activists and diaspora Tamil political activists to return to North and East. When the activists wonder about the possibility of their return, they are coached through middlemen to

⁴¹ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Obstacles to Access), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

⁴² Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Limits on Content: Media, Diversity, and Content Manipulation), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

⁴³ US State Department's 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press – Internet Freedom), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

⁴⁴ Committee to Protect Journalists, Sri Lankan government blocks Tamil website, 14 November 2016, <https://www.cpj.org/asia/sri-lanka/>. Accessed: 20 April 2017

⁴⁵ US State Department's 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

pledge commitment to unitary State and its exercise of 'State Sovereignty' on their occupied country. When they arrive, the MOD in Colombo briefs them about the 'possibility' of 'military rehabilitation'.⁴⁶

- 6.5.3 Sasikaran Punniyamurthi, a freelance Tamil journalist who spent four years in exile, accepted a public invitation by the government to return to Sri Lanka. But he was arrested on his return. The Journalists for Democracy in Sri Lanka reported in January 2016 that:

'Upon his return on 20 January [2016], Sasikaran has been arrested by the Criminal Investigation Department (CID) at the Katunayake International Airport and later produced before the Negombo Magistrate's Court. He has been granted bail in the sum of SLR. 10,000 and two sureties after confiscating his passport. The court has further ordered him to report to the notorious Fourth Floor of the CID every month.'⁴⁷

- 6.5.4 The Tamil Net article further reported:

'None of the Tamil journalists or political activists, who were exiled during and after the Vanni war, could return to their native Northern or Eastern provinces without getting white-listed by the military intelligence of the occupying Sinhala military prior to their entry into the North and East. Media activists from Colombo who met a group [of] Tamil journalists in Vanni this week told TamilNet that a section of journalists in North had met Major General Mahesh Senanayake on 06 April [2016] at Palaali military base. When the journalists questioned the SL commander that some of their exiled journalists, currently residing in Tamil Nadu and other countries, were wondering about returning to the island. The SL commander had refused to officially comment, but shared this information in a[n] 'unofficial' way, the sources further said.'⁴⁸

- 6.5.5 The UK Home Office undertook a [Fact Finding Mission to Sri Lanka from 11 – 23 July 2016](#) and met with Mr. Sampanthan (Leader of the Tamil National Alliance (TNA) and Mr. Sumanthiran (Tamil lawyer, politician and Member of Parliament). The UK delegates were told that journalists were 'safe under the new regime, there is freedom of the press'.⁴⁹

- 6.5.6 Representatives from two international media organisations informed the [UK FFM](#) delegates during a meeting in Colombo, that:

'Journalists are allowed to criticise the government. No penalties for reporting had been seen. Under the Press Council Act a journalist can be fined. The Prime Minister made a public speech to show the public what lies had been printed and instructed the media not to print anything that was a

⁴⁶ Tamil Net, Returning Tamil journalists forced to pledge written oath to unitary State, 7 May 2016, <https://www.tamilnet.com/art.html?catid=13&artid=38249>. Accessed: 21 April 2017

⁴⁷ Journalists for Democracy in Sri Lanka, Exiled Tamil journalist arrested on arrival in Sri Lanka, 22 January 2016, <http://www.jdslanka.org/index.php/news-features/media/583-tamil-journalist-in-exile-arrested-on-arrival-in-sri-lanka>. Accessed: 21 April 2017

⁴⁸ Tamil Net, Returning Tamil journalists forced to pledge written oath to unitary State, 7 May 2016, <https://www.tamilnet.com/art.html?catid=13&artid=38249>. Accessed: 21 April 2017

⁴⁹ UK Home Office's Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 2: Meeting with the Tamil National Alliance (TNA), 11 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

lie. There had been some news targeting Tamils – anti Tamil news – which had created unnecessary tensions harming national harmony.’⁵⁰

- 6.5.7 One of the media representatives informed the UK delegates that they ‘had not heard of any journalists being attacked since the regime change in January 2015.’ Adding: ‘The last incident was in 2012. It [attacks on journalists] has reduced, but the fear was there even in 2014, but now people are more relaxed. Journalists can publish articles about human rights violations without the fear of reprisal.’⁵¹
- 6.5.8 The [FFM](#) team also met with members of the Jaffna Press Club, and were informed that: Most media people in the north and east were affected by the war and their security was affected, because the perpetrators were not brought to justice; no one wants to work in the media in Jaffna. There are 105 journalists at the club, but only two of those are women, because there is no security. A journalist and his family were threatened in 2014 following the publication of a particular article. The Press Club is regularly watched by plain clothed military intelligence – the last being in May 2016.’⁵²
- 6.5.9 Reporting on an incident in April 2016, when police and local authorities reportedly intimidated journalists while they were reporting on a protest about water contamination, the 2016 Country USSD report noted that, ‘[s]everal of the journalists reported being followed by police, another reported threats of violence, and one was arrested.’⁵³
- 6.5.10 Amnesty International reported on the beating of journalist Freddy Gamage that took place in June 2016: ‘In June, journalist Freddy Gamage was beaten by men he identified as supporters of a politician in the town of Negombo. Freddy Gamage had been threatened previously over articles he wrote exposing the politician’s alleged corruption and links to organized crime. He was further threatened by one of his attackers when they met in court after he pointed him out in an identification parade.’⁵⁴
- 6.5.11 The Freedom House report, Freedom in the World 2016, 20 June 2016 observed however, that under the Sirisena government: ‘The level of verbal

⁵⁰ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 12. Meeting with two representatives (‘A’ & ‘B’) from two international media organisations, 19 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

⁵¹ UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 12. Meeting with two representatives (‘A’ & ‘B’) from two international media organisations, 19 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

⁵² UK Home Office’s Fact Finding Mission to Sri Lanka, 11 – 23 July 2016, Section 6: Meeting with the Jaffna Press Club, 14 July 2016, <https://www.gov.uk/government/publications/sri-lanka-country-policy-and-information-notes>. Accessed: 24 March 2017

⁵³ US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press - Violence and Harassment), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

⁵⁴ Amnesty International: Amnesty International Report 2016/17 - The State of the World’s Human Rights - Sri Lanka, 22 February 2017, (p341), <https://www.amnesty.org.uk/files/2017-02/POL1048002017ENGLISH.PDF?xMHdSpNaJBUNbiuvtMCJvJrnGuLiZnFU>. Accessed: 18 April 2017

and physical attacks on journalists also dramatically lessened during the year, although isolated incidents were reported by local monitoring groups.’⁵⁵

- 6.5.12 The UN Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General: Promoting reconciliation, accountability and human rights in Sri Lanka, 28 June 2016, reported: ‘During... [the Maithripala Sirisena government’s] first months in office, there were a number of high profile breakthroughs and arrests made in a number of prominent cases, for instance the disappearance of journalist Prageeth Eknaligoda, the killings of newspaper editor Lasantha Wickrematunge and Tamil MPs Joseph Pararajasingham and Nadarajah Raviraj, and the murder of rugby player Wasim Thajudeen, but progress has since slowed. The Trincomalee Five and ACF [Action Contre la Faim (Action Against Hunger, ACF)] cases remain at various stages of summary proceedings, although the Government has made renewed efforts to facilitate the appearance of witnesses.’⁵⁶
- 6.5.13 In September 2016, a Sri Lankan judge granted permission for the police to exhume the body of journalist Lasantha Wickramatunga as part of the investigation into his death. was killed while travelling to work in January 2009 when he was attacked by eight helmeted men on four motorcycles on a busy street outside Colombo.⁵⁷
- 6.5.14 The Committee to Protect Journalists reported in November 2016 that: ‘Sri Lankan President Maithripala Sirisena, elected in January 2015, has pledged to reopen investigations into journalists killed or disappeared during the last 30 years. Sri Lanka ranked sixth on CPJ’s 2015 Impunity Index, which highlights countries where journalists are murdered and their killers go free.’⁵⁸
- 6.5.15 The Freedom House, Freedom of the Net report, 14 November 2016, stated: ‘There were no targeted attacks on online journalists or internet users during the coverage period [June 2015—May 2016] of this report.’ But further reiterated: ‘Online reporters, like their counterparts in traditional media, were attacked by forces on both sides during Sri Lanka’s civil conflict.’⁵⁹

⁵⁵ Freedom House, Freedom in the World 2016 - Sri Lanka, 20 June 2016, (Civil liberties: E. Associational and Organizational Rights:), <https://freedomhouse.org/report/freedom-world/2016/sri-lanka>. Accessed: 18 April 2017

⁵⁶ The Office of the United Nations High Commissioner for Human Rights (OHCHR), UN Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General: Promoting reconciliation, accountability and human rights in Sri Lanka, 28 June 2016, (Para 18, p5), http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session32/Documents/A_HRC_32_CRP_4_AV.docx. Accessed: 21 April 2017

⁵⁷ Committee to Protect Journalists, Sri Lankan government blocks Tamil website, 14 November 2016, <https://www.cpj.org/asia/sri-lanka/>. Accessed: 20 April 2017

⁵⁸ Committee to Protect Journalists, Sri Lankan government blocks Tamil website, 14 November 2016, <https://www.cpj.org/asia/sri-lanka/>. Accessed: 20 April 2017

⁵⁹ Freedom House, Freedom of the Net, 2016 Sri Lanka, 14 November 2016, (Violations of User Rights: Intimidation and Violence), <https://freedomhouse.org/report/freedom-net/2016/sri-lanka>. Accessed: 24 March 2017

6.5.16 On 5 January 2017, Groundviews, a citizens journalism website based in Sri Lanka, concurred, adding:

‘During Sri Lanka’s civil war, journalists working in the war zone endured a major share of the state’s repression. Editors of a number of newspapers based in the Northern and Eastern provinces were instructed to regularly report to military camps, while unidentified armed men often raided their offices. A pattern of persecution emerged throughout the country, with journalists including Poddala Jayantha, Nadesapillai Vithyatharan and J.S. Tissainayagam targeted for their activism, editorial decisions and writing. The assassination of the chief editor of The Sunday Leader Lasantha Wickrematunge on 8 January 2009 thereafter devastated the media industry. His death reflected the total disintegration of media freedom and marked the unabashed impunity with which the state acted.’⁶⁰

6.5.17 The Groundviews article added:

‘Once the culture of fear became entrenched, media reportage on human rights abuses rapidly declined. In fact, the reporting of human rights abuses in the local press came to a near standstill during the first three years of the post-war period. For instance, the media failed to report on the widespread enforced disappearances that took place during this period. It also failed to offer much coverage to post-war attacks on journalists such as Prageeth Eknaligoda, who disappeared on 24 January 2010 while working for the anti-government news website Lanka e-News.’⁶¹

6.5.18 The DFAT report, dated 24 January 2017, noted:

‘The [Sirisena] government has ... publicly stated that journalists are free to be as critical of the government as they wish. In addition, previously blocked websites have been unblocked and an open invitation extended to all media personnel living in exile to return to the country. However, of the large number of Sri Lankan journalists who live in exile abroad, few have returned to Sri Lanka.’⁶²

6.5.19 The same report noted: ‘DFAT assesses that incidents of violence against journalists have reduced in frequency since 2015. However, journalists in the north and the east have reported that they still feel at risk because of their work. DFAT is aware of unverified reports of a small number of attacks on journalists in 2015 and in at least one case, victims described the severity as less than what they would have expected to experience in the past.’⁶³

⁶⁰ Groundviews (Gehan Gunatilleke), Survivalist and Irrepressible: The Two Faces of the Sri Lankan Media, 5 January 2017, <http://groundviews.org/2017/01/05/survivalist-and-irrepressible-the-two-faces-of-the-sri-lankan-media/>. Accessed: 21 April 2017

⁶¹ Groundviews (Gehan Gunatilleke), Survivalist and Irrepressible: The Two Faces of the Sri Lankan Media, 5 January 2017, <http://groundviews.org/2017/01/05/survivalist-and-irrepressible-the-two-faces-of-the-sri-lankan-media/>. Accessed: 21 April 2017

⁶² Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Media, para 3.67), 24 January 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July 2017

⁶³ Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Media, para 3.70), 24 January 2017. Accessed: 24 March 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July

- 6.5.20 Further adding: ‘Journalists with prominent or powerful connections are less likely to suffer from harassment or intimidation, however most would censor statements that directly criticised the President.’⁶⁴ (See [Censorship](#))
- 6.5.21 In February 2017 police arrested an army officer and two soldiers over the 2008 abduction of and assault on journalist Keith Noyahr, an associate editor of the English-language weekly The Nation. As reported by the International Committee to Protect Journalists: ‘The Crime Investigation Department (CID) interrogated Major Prabath Bulathwatte, Sergeants Duminda Weeraratne and Hemachandra Perera overnight and arrested them on February 20 [2017].’⁶⁵
- 6.5.22 The 2016 Country USSD report cited an incident from December 2016, when a Naval commander, ‘verbally and physically assaulted a provincial journalist during a protest at the Hambantota Port. The government issued a ‘statement the following day saying the journalist had violated basic ethical practices while covering sensitive conflict situations.’⁶⁶

[Back to Contents](#)

2017

⁶⁴ Australian Government, Department of Foreign Affairs and Trade, ‘DFAT Country Information Report Sri Lanka’, (Media, para 3.70), 24 January 2017. <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx>. Accessed: 11 July 2017

⁶⁵ International Committee to Protect Journalists, Army personnel arrested for abducting journalist in Sri Lanka, 20 February 2017, <http://www.ifj.org/nc/news-single-view/backpid/30/article/army-personnel-arrested-for-abducting-journalist-in-sri-lanka-1/>. Accessed: 20 April 2017

⁶⁶ US State Department’s 2016 Country Report on Human Rights Practices (USSD Report 2016), Sri Lanka, published on 3 March 2017, (Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press), <https://www.state.gov/documents/organization/265760.pdf>. Accessed: 24 March 2017

Version control and contacts

Contacts

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Clearance

Below is information on when this note was cleared:

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Revision of the policy section.

[Back to Contents](#)